IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No. 268 of 1989

For Approval and Signature:

HONOURABLE MR.JUSTICE A.M.KAPADIA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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STATE OF GUJARAT

Versus

CHETANKUMAR MITHABHAI PATEL and another

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Appearance :
MR. H.M.PRACHHAK, APP for Applicant(s) : 1,
MR MJ DAGLI for Respondent(s) : 1 - 2.
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CORAM : HONOURABLE MR.JUSTICE A.M.KAPADIA

Date : 22/09/2005

ORAL JUDGMENT

1.Mr. H.M.Prachhak, learned APP, for the petitioner-State of Gujarat, upon written instructions dated 31.8.2005 received from the Legal Department, states that this petition is filed against the order dated 29.6.1989,

framing the charge against the respondents under Section 498(A) of IPC and not under Section 306 of IPC, in Sessions Case No. 152 of 1989 by the learned Additional City Sessions Judge, City Sessions Court, Ahmedabad. He further states that the trial of the Sessions Case no. 152 of 1989 has now been concluded and the respondents have been acquitted of the offence with which they were charged. This petition has therefore now become infructuous. He, therefore urged to pass appropriate orders.

2. In view of the aforesaid statement made by Mr. H.M.Prachhak, learned APP, this petition is disposed as it has become infructuous. Rule is discharged. Interim relief, if any, granted earlier, shall stand vacated.

3. The xerox copy of the letter dated 31.8.2005 sent by the Legal Department to the Public Prosecutor Office, High Court of Gujarat, shall be retained on record of the case.

(A.M.Kapadia,J)

Jayanti*